

REMARKS

By the above amendment, the dependency of claims have been amended so as to provide proper multiple dependent form for the multiple dependent claims. Additionally, new dependent claims have been added, wherein claim 11 recites the features of method claim 9 in a structural format as a multiple dependent claim dependent upon claims 1 and 4, which are independent claims, and new dependent claims 12-15 are claims corresponding to original claims which have been amended to change dependency. Thus, claim 12 corresponds to claim 3 dependent upon claim 2, and claims 13, 14 and 15 correspond to claims 6, 7 and 8 dependent upon claim 5.

As to the requirement for restriction to one of the inventions identified as Group I - claims 1-8 and 10/(1-8), drawn to a magnetic head, classified in class 360, subclass 317, and Group II - claims 9 and 10/9, drawn to a method of making the magnetic head, classified in class 29, subclass 603.13, this requirement is traversed insofar as it is applicable to the present claims, and reconsideration and withdrawal of the restriction requirement are respectfully requested.

The Examiner indicates that inventions II and I are related as process of making and product made, with the Examiner referring to the requirements of MPEP §806.05(f) for showing distinctness, which showing is in terms of the process as claimed or the product as claimed. The Examiner contends that in the instant case, the magnetic head disclosed in Group I can be made without the particular step of flame plating disclosed in Group II. By the present amendment, new dependent claim 11 which depends from independent claims 1 or 4 of Group I and necessarily forms part of Group I, recites the feature of a flame plated front end portion which is considered to be coextensive with the recited feature of Group II, such that applicants submit that in light of this amendment, distinctness can no longer be shown between the process as claimed or the product as claimed in accordance with

the requirements of MPEP §806.05(f). Accordingly, withdrawal of the restriction requirement is respectfully requested.

In order to provide a complete response to the restriction requirement, applicants provisionally elect, with traverse, the invention of Group I including claims 1-8, 10/(1-4), as amended, and newly added claims 11-15.

The Examiner has indicated that if Group I is elected, one of the alleged following patentably distinct species of the claimed invention must be elected, which species are identified as Species Ia, drawn from Figs. 1, 2, 5 and 6; Species Ib, drawn from Figs. 7 and 9; and Species Ic, drawn from Figs. 8 and 10. In setting forth the election of species requirement, the Examiner contends that currently, no generic claim is found.

Contrary to the Examiner's position, applicants submit that independent claims 1, 4 and dependent claim 10 may be considered generic or sub-generic claims, in that whether or not the recited features of such claims are found in the indicated figures, it is apparent that such figures may be constructed with the recited features thereof. Accordingly, applicants submit that generic or sub-generic claims are present in this application and should be considered herein. Since such claims are not rejected, applicants submit that allowable generic claims are present and the election requirement should be withdrawn.

In order to provide a complete response to the election of species requirement, applicants provisionally elect, with traverse, Species Ib and submit that claims 1, 4-8 and 10-15 are readable thereon.

With regard to the apparent objection to the drawings that Figs. 3 and 4 should be designated by a legend such as --Prior Art--, submitted herewith is a proposed drawing correction wherein Figs. 3 and 4 are labeled as "Prior Art" and corrected drawings of Figs. 3 and 4 are also submitted. Accordingly, approval of the

proposed drawing correction and acceptance of the corrected drawings and other drawings in this application are respectfully requested.

In view of the above amendments and remarks, applicants submit that the restriction requirement and election requirement should be withdrawn and favorable action with respect to all claims present in this application are respectfully requested.

To the extent necessary, applicant's petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (520.40591X00) and please credit any excess fees to such deposit account.

Respectfully submitted,



Melvin Kraus

Registration No. 22,466

ANTONELLI, TERRY, STOUT & KRAUS, LLP

MK/cee
(703) 312-6600

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FIG. 3 (PRIOR ART)

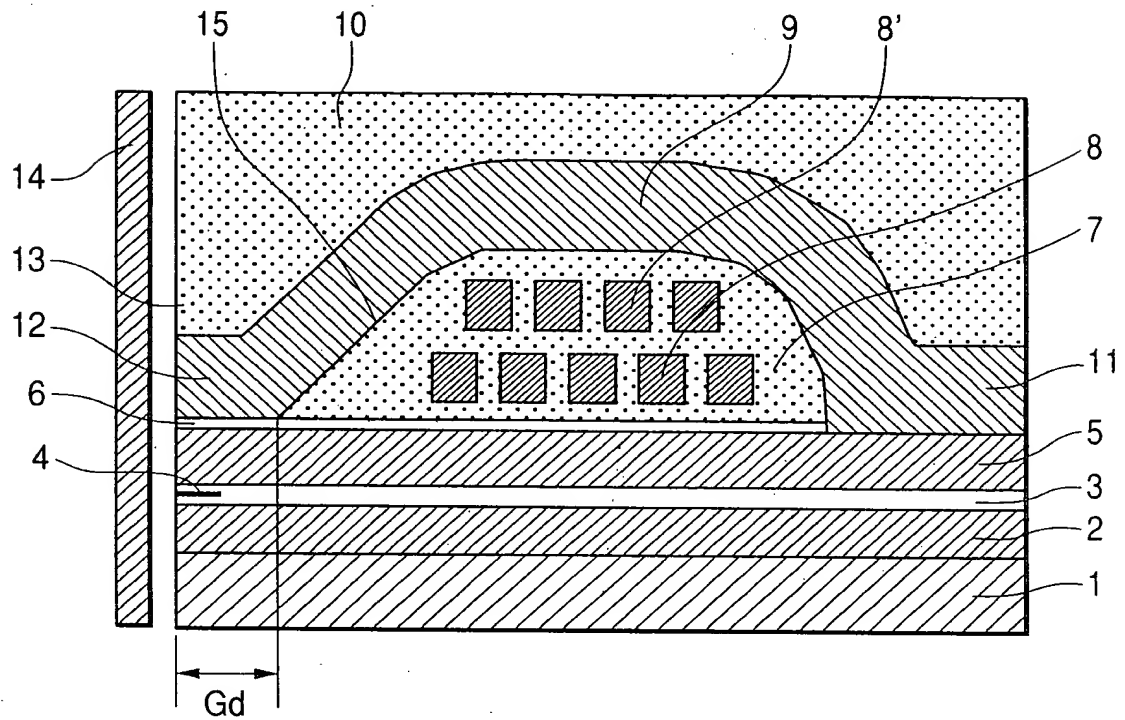


FIG. 4 (PRIOR ART)

